

Adopted: August 26, 2013
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527 STUDENT USE AND PARKING OF MOTOR VEHICLES; PATROLS, INSPECTIONS AND SEARCHES

I. PURPOSE

The purpose of this policy is to provide guidelines for use and parking of motor vehicles by students in school district locations, to maintain order and discipline in the schools, and to protect the health, safety, and welfare of students and school personnel.

II. GENERAL STATEMENT OF POLICY

The policy of the school district is to allow the limited use and parking of motor vehicles by students in school district locations. The position of the school district is that a fair and equitable district-wide student motor vehicle policy will contribute to the quality of the student's educational experience, will maintain order and discipline in the schools, and will protect the health, safety and welfare of students and school personnel. This policy applies to all students in the school district.

III. DEFINITIONS

- A. "Contraband" means any unauthorized item possession of which is prohibited by school district policy and/or law. It includes, but is not limited to, weapons and "look-alikes," alcoholic beverages, controlled substances and "look-alikes," overdue books and other materials belonging to the school district, and stolen property.
- B. "Reasonable suspicion" means that a school official has grounds to believe that the search will result in evidence of a violation of school district policy, rules, and/or law. Reasonable suspicion may be based on a school official's personal observation, a report from a student, parent or staff member, a student's suspicious behavior, a student's age and past history or record of conduct both in and out of the school context, or other reliable sources of information.
- C. "Reasonable scope" means that the scope and/or intrusiveness of the search is reasonably related to the objectives of the search. Factors to consider in determining what is reasonable include the seriousness of the suspected infraction, the reliability of the information, the necessity of acting without delay, the existence of exigent circumstances necessitating an immediate search and further investigation (e.g. to prevent violence, serious and immediate risk of harm, or destruction of evidence), and the age of the student.

- D. “School district location” means property that is owned, rented, leased, or borrowed by the school district for school purposes, as well as property immediately adjacent to such property that may be used for parking or gaining access to such property. A school district location also shall include off school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district.

IV. STUDENT USE OF MOTOR VEHICLES IN SCHOOL DISTRICT LOCATIONS

Students generally are not permitted to use motor vehicles during the school day in any school district location. Students may use motor vehicles on the high school campus(es) during the school day only if there is an emergency and permission has been granted to the student by the high school administration to use a motor vehicle. Students are permitted to use motor vehicles in school district locations outside of the school day only on the high school campus(es).

V. STUDENT PARKING OF MOTOR VEHICLES IN SCHOOL DISTRICT LOCATIONS

- A. Students are permitted to park in a school district location as a matter of privilege, not of right. Students driving a motor vehicle to a high school campus may park the motor vehicle in the parking lot designated for student parking only. Students will not park vehicles in driveways, on private property, or in other designated areas, e.g. parking lots designated for use only by staff or by the general public.
- B. When there are unauthorized vehicles parked on school district property, school officials may:
 - 1. move the vehicle or require the driver or other person in charge of the vehicle to move it off school district property; or
 - 2. if unattended, provide for the removal of the vehicle, at the expense of the owner or operator, to the nearest convenient garage or other place of safety off of school district property.

VI. PATROLS, INSPECTIONS, AND SEARCHES

School officials may conduct routine patrols of school district locations and routine inspections of the exteriors of the motor vehicles of students. In addition, the interiors of motor vehicles of students in school district locations may be searched when school officials have a reasonable suspicion that the search will uncover a violation of law and/or school policy or rule.

- A. Patrols and Inspections

School officials may conduct routine patrols of student parking lots and other school district locations and routine inspections of the exteriors of the motor vehicles of students. Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant.

B. Search of Interior of Student Motor Vehicle

The interiors of motor vehicles of students in school district locations, including glove or trunk compartments, may be searched when school officials have a reasonable suspicion that the search will uncover a violation of law and/or school policy or rule. The search will be reasonable in its scope and intrusiveness. Such searches may be conducted without notice, without consent, and without a search warrant. A student will be subject to withdrawal of parking privileges and to discipline if the student refuses to open a locked motor vehicle under the student's control or its compartments upon the request of a school official.

C. Prohibition of Contraband and Interference with Patrols, Inspections, Searches and/or Seizures.

A violation of this policy occurs when students store or carry contraband in motor vehicles in a school district location or interfere with patrols, inspections, searches and/or seizures as provided by this policy.

D. Seizure of Contraband.

If a search yields contraband, school officials will seize the item and may turn it over to legal officials for ultimate disposition when appropriate.

E. Dissemination of Policy

A copy of this policy will be printed in the student handbook or disseminated in any other way which school officials deem appropriate.

VII. DIRECTIVES AND GUIDELINES

The superintendent is granted authority to develop and present for school board review and approval reasonable directives and guidelines which address specific needs of the school district related to student use and parking of motor vehicles in school district locations, such as a permit system and parking regulations. Approved directives and guidelines shall be attached as an addendum to this policy.

VIII. VIOLATIONS

A student found to have violated this policy and/or the directives and guidelines implementing it shall be subject to withdrawal of parking privileges and/or to discipline in accordance with the school district's Student Discipline Policy, which may include

suspension, exclusion, or expulsion. In addition, the student may be referred to legal officials when appropriate.

Legal References: U.S. Const., amend. IV
Minn. Const., art. I, § 10
Minn. Stat. § 123B.02 Subds. 1 and 5 (General Powers of Independent School Districts)
New Jersey v. T.L.O., 469 U.S. 325, 105 S.Ct. 733, 83 L.Ed.2d 720 (1985)

Cross References: MSBA/MASA Model Policy 417 (Chemical Use and Abuse)
MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)
MSBA/MASA Model Policy 501 (School Weapons Policy)
MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions and Student's Person)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)

ADDENDUM

PARKING AND DRIVING REGULATIONS

The regulations listed below promote safety and order in the driveways and parking lots around the school. It should be clearly understood that failure to comply with these regulations and conditions will mandate revocation of your driving privilege.

- A. **Only students with NO outstanding obligations to the school (fees, fines, book returns, equipment returns, etc.) may apply for a parking maintenance fee ID tag.**
- B. Any student who wants to drive to school and use the school parking lots must register all of his/her vehicles. Due to the high volume of vehicles, we may not be able to accommodate all students requesting a permit.
- C. Any motor vehicle parked in the school parking lots must display an official school-parking identification (ID) tag. These tags will be issued only upon the completion and approval of this registration form. The cost for a tag is \$150.00 (\$90 DURING 20-21 DUE TO Hybrid Scheduling) for lower parking lots #1 and #2 and \$120.00 (\$72 during 20-21 due to Hybrid Scheduling) for the upper and overflow lot (south part of parking lot at DIS). **This fee is non-refundable.** The fee will be prorated at the start of each quarter.
- D. Students will be assigned a numbered space in the parking lots. This space is the only place you are allowed to park. **All fire lanes and non-numbered parking spaces are NO PARKING areas at all times. There is NO PARKING in the staff lot at any time.**
- E. Vehicles improperly parked in the lot or parked in a space other than the one to which you have been assigned will be subject to immobilization or towing at the owner's expense. Parking violation fine will start at \$25.00 and/or community service. Release of the immobilization unit will incur a cost of \$50.00.
- F. School authorities have the right to enter a vehicle on District property to search or inspect the vehicle if they believe that it contains an illegal or dangerous substance or paraphernalia or if the contents of the vehicle may present a threat to the educational environment.
- G. The maximum speed limit in all driveways and parking lots is **15 mph**. Your parking permit may be suspended or revoked if the speed limit is not followed.
- H. **Students may not go to their vehicles between 8:10 a.m. and 2:50 p.m.** unless they are leaving the school property with an approved early dismissal, or unless they have permission from the principal or designee.
- I. Students must drive on school property with extreme caution and consideration. Any evidence of reckless or careless driving will result in the suspension or revocation of driving privileges.
- J. Any student found in possession of or using tobacco, alcohol, illegal drugs, etc., will receive at minimum a suspension of driving privileges, revocation of driving privileges and/or other disciplinary action (see student handbook).

- K. Should it be necessary to suspend a driving privilege and the student involved is found driving on school property, it will be considered a very serious violation. The parking ID tag will be revoked. No money will be refunded to drivers who have lost parking privileges.
- L. Parking or driving on the school lawn will be considered a serious offense and will result in loss of driving privileges and charges for damages.
- M. Observe all driving and parking regulations printed in the Student Handbook and expectations as defined by the Board of Education and the City of Delano.
- N. In event of repeated and/or serious violations of parking and driving rules, a complaint may be filed by the school with the Wright County Sheriff's Department.
- O. **School buses have the right of way at all times.** The first violation will result in a two-week suspension of driving privileges. The second violation will result in suspension of driving privileges for four weeks. A third violation will result in revocation of the parking ID tag.
- A. Students are not allowed to drive to the Wright Technical Center without prior written permission.